

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Case No. 24-mc-50965

In re Dwight Steward

Judith E. Levy  
United States District Judge

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**ORDER DENYING STEWARD'S MOTION [10]**

Dwight Steward, an inmate in the Cooper Street Correctional Facility in Jackson, Michigan, sent a letter on or around July 23, 2024, titled, “Letter to confirm sending of brief.” (ECF No. 1, PageID.1.) The letter includes a “brief in support of (previous) motion to compel M.D.O.C. to copy & provide inmate’s ‘priapism’ medical record.” (*Id.* at PageID.2.) It also includes exhibits to this brief. (*Id.* at PageID.5–12.) Mr. Steward’s letter opened a new miscellaneous case in the United States District Court for the Eastern District of Michigan.

After issuing a show cause order (ECF No. 5) and reviewing Steward’s responses (ECF Nos. 6, 7, 8), the Court dismissed his

miscellaneous case without prejudice on October 28, 2024. (ECF No. 9.) The Court determined Steward has not demonstrated that his filings are appropriate for a miscellaneous case.

Steward filed another motion, which is dated December 3, 2024. (ECF No. 10.) In this motion, he states:

Pursuant to the case law of Townsend v. Sain, 372 U.S. 293 (1963) and the fact, of all the above listed attempts (in this upper right hand corner),<sup>1</sup> which this petitioner has diligently attempted, to address all of the constitutional dimension violations, of this petitioner's 'presumption of innocence,' in said listed court cases .. accordingly, this petitioner writes this motion, so that this petitioner can be properly heard, before the United States Supreme Court concerning all the bias adjudication, in which this petitioner has endured, with these (1) direct witness convictions. (Note: said convictions are against the two witness mandate), of case law Hammer v. United States, 271 U.S. 620 (1926) / Cramer v. United

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<sup>1</sup> Steward wrote the following "case # log" in the upper corner of the filing:

Lower Court

A 85-0047

B 90-0777

C 18-008561 FH

18-004064 FC

13-0103 [illegible]

MCOA

351294, 351291

USED C

20-13194/ 5:24-50965 [illegible]

USSC

2:13-cv-1305 [illegible]

(ECF No. 10, PageID.56.)

States, 345 U.S. 1 (1945). This, I pray you will do your duty, and adjudicate this claim, to the United States Court of Appeals, per the above case law.

(ECF No. 10, PageID.56.)

To the extent that Steward requests that the Court reopen his miscellaneous case, his motion is denied. Again, “[m]iscellaneous case[s] are for filing documents not related to a pending case or proceeding, including: Petitions to Quash or Enforce Subpoenas; Registration of Judgments from outside this District; Registration of Power of Attorney; and, Letters of Rogatory.” *Lucas v. Home Depot*, 15-mc-50513, 2016 WL 6995737, at \*1 (E.D. Mich. Nov. 30, 2016). Steward appears to challenge his conviction, which is not appropriate for a miscellaneous case. If Steward wishes to pursue relief from the Court, he may file a complaint on the civil docket.

IT IS SO ORDERED.

Dated: December 19, 2024  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 19, 2024.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager